

An Interview with Jerome M. Alper

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Chevy Chase, Maryland

Interviewer: Zachary M. Schrag

Transcribed by Mr. Schrag

Schrag: Zachary Schrag is interviewing Jerome Alper. It's Thursday, October 8, at around 2:10 pm, and we are in Mr. Alper's home in Chevy Chase, Maryland. OK. Now, as I said, I don't know anything really about your life before 1955 when you got involved in the transportation committee. So perhaps you could tell me just basic information. When were you born?

Alper: I was born in August 1914, and I went to law school at University of Chicago.

Schrag: Where did you go to college?

Alper: I went to college at University of Chattanooga.

Schrag: Were you born in Tennessee?

Alper: I was actually born in New York City, but my family lived in Dalton, Georgia, at the time. I lived in Chattanooga until the time I went up to law school. And I came back, and I came back to Chattanooga and practiced a little while in an independent practice for a short while and applied for and got a job for the Securities Exchange Commission in Washington.

Schrag: What year was that? Do you—

Alper: (laughs)

Schrag: What year did you graduate from law school?

Alper: That's a good question.

Schrag: Well, I can –

Alper: I've got it all. It's all recorded. I can't recall off hand. I'd have to take a quick check of the record. It's been quite a while.

Schrag: OK. So this was, this would have been during the New Deal.

Alper: Yes.

Schrag: So during Roosevelt's Washington years–

Alper: Right.

Schrag: You came up. Let me just ask you about your early experience with transportation. Did your family have a car when you were growing up?

Alper: Yes.

Schrag: And what kind of car was it?

Alper: Oh, something I guess. Chevrolet or Ford or something like that.

Schrag: And when did you learn to drive?

Alper: How old did you have to be? Thirteen or sixteen or something?

Schrag: Probably, in the South. So, as soon as you could.

Alper: Right.

Schrag: Never had any hesitation.

Alper: No.

Schrag: And you were in Dalton and Chattanooga. And those had streetcar systems, I imagine?

Alper: What?

Schrag: Streetcars?

Alper: Three cars?

Schrag: Street. Streetcars.

Alper: Oh.

Schrag: Trolleys.

Alper: Chattanooga did. Dalton. I don't— I don't think so.

Schrag: What was your experience with that? Did you like the trolleys? Did you think they were crowded?

Alper: I didn't have much reaction to them. There it was, and when I needed to go someplace I rode them, that's all. At that point I wasn't interested in the quality of the transportation. Any of that stuff.

Schrag: And when you moved to Chicago for law school—

Alper: Yeah?

Schrag: What was that like, moving to the North, to a big city. Was that shocking? Did you take it in stride?

Alper: Oh yeah, I took it in stride. I lived on the campus, and I wasn't exposed too much to the Chicago life.

Schrag: OK. So you're back in Chattanooga and you go down to Washington. You arrive in New Deal Washington.

Alper: Right.

Schrag: So what was your position at the Securities Exchange Commission?

Alper: Young lawyer. See if I can recall the division I was in. It had to do with, oh, utilities, yeah. Utilities division of the SEC.

Schrag: And so that would have been electricity and gas?

Alper: Yeah.

Schrag: And street railways as well?

Alper: Yeah. Well, they- . Street railways, we got into that because they were at that time, most of them, were actually owned and operated by the local utility companies.

Schrag: The electric companies?

Alper: Yeah. The SEC didn't have direct responsibility for regulating local transit.

Schrag: Right. But they did have responsibility for regulating electricity?

Alper: Not really regulating. It depends on what you mean by regulating. Not rates or service. It basically

had to do with the financial operation of these companies.

Schrag: So their offering bonds and stocks?

Alper: Right.

Schrag: And what was the relationship between government and the utilities. Was it hostile? Were you prosecuting them?

Alper: No, there's no prosecution, no hostility that I'm aware of. I mean, there was none.

Schrag: So what did you do in that office? Did you just monitor their behavior?

Alper: No, I wasn't concerned about their behavior. I'm trying to remember, but it basically was reviewing their financial practices. It wasn't a question of behavior, that sort of thing. We weren't concerned about their service or anything like that. We just—

Schrag: And were those financial practices generally sound?

Alper: Yeah.

Schrag: I know that for the streetcar companies, the ones that were independent, a lot of time they were in debt, they had watered their stock, finances were a mess. But you're saying that for most of the utility companies, it wasn't so bad?

Alper: Right.

Schrag: And the issues of monopoly rates, those would have been left to state public utility commissions?

Alper: Right.

Schrag: OK. So how long did you have that job, at the SEC? When did you leave it?

Alper: (laughs). You know, you embarrass me. Up to about a year or two ago I could remember things. But I can't remember anything any more.

Schrag: Well, what was your next job? Let me put it that way.

Alper: I went into private practice.

Schrag: And this was still before World War II?

Alper: Yeah, I guess it was, sure. I guess, yeah, I think so.

Schrag: And so were you on your own? At one point you formed a partnership I know. I had the stationery somewhere. But I'm not sure where I have it now.

Alper: I went in with my uncle, was a lawyer, and I just joined his office. Whether he had a firm or not, I don't remember.

Schrag: What was his name?

Alper: Alper. Jacob M. Alper.

Schrag: And what sort of work did you do there?

Alper: Stuff from personal problems for clients. There's not any area of business. I was not involved in regulating utilities or finance or anything of that kind. It was just a day by day law practice.

Schrag: OK. And what happened next after that?

Alper: I decided I didn't like that, it wasn't going anywhere, so I got a job at the SEC.

Schrag: So, sorry, you were back at the SEC?

Alper: No, not back, that's when I got to the SEC.

Schrag: OK, so when you first came to — . The Alper practice, that was in Chattanooga?

Alper: Right.

Schrag: OK. Then you came to Washington —

Alper: Right.

Schrag: — and worked at the SEC.

Alper: Right.

Schrag: And what was your next job after that?

Alper: I went into private practice on my own.

Schrag: In D.C.?

Alper: Yeah.

Schrag: Uh-huh. And what kind of work were you doing in your D.C. practice?

Alper: Oh, it involved basically, back then, utilities, and general practice.

Schrag: Who were your clients? Were they utility companies now?

Alper: No, I didn't have many really good clients. It was kind of hit and miss. I didn't have a really established clientele.

Schrag: And so you were still doing this, this was still before the war broke out, before Pearl Harbor.

Alper: Yeah, I think so.

Schrag: And did the war disrupt your practice in any way? How did things change?

Alper: I went into the Navy.

Schrag: That's a pretty big change.

Alper: (laughs)

Schrag: Were you drafted? Did you volunteer?

Alper: I think I volunteered, because I was subject to draft, and knew I'd just be in with a million other

guys. And I volunteered — the Navy— I got a commission. So that's how I got there.

Schrag: And where did you end up serving?

Alper: In the Pacific. Skipper of an L.S.T.

Schrag: Wow. What campaigns were you involved with?

Alper: Iwo. Okinawa. Basically those two, it was the latter days, latter years, of the— couple years of the war, and the activity was in the mid-Pacific. Those were the only invasions I was active in, but I went into all the other ports with resupply runs, and that sort of thing.

Schrag: So you were in the Pacific for most of the war, it sounds like.

Alper: Right.

Schrag: And did law have anything to do with this, or they just needed—

Alper: No.

Schrag:— line officers, as many as they could get?

Alper: Law had nothing to do with it.

Schrag: And when were you mustered out?

Alper: (laughs). You'd think I'd remember stuff like that.

Schrag: Well, before VJ Day? After VJ Day? I don't need exact dates, I'm just trying to get a sense of—

Alper: Forty-five. Forty-five.

Schrag: So the war is over. You can come home now.

Alper: Right.

Schrag: So you come back to Washington?

Alper: Yes.

Schrag: And resume your practice?

Alper: Yes.

Schrag: OK. And you said you were involved in the streetcar system, in some way. What was your involvement there?

Alper: I didn't represent the streetcar companies, but I was, it was part of my work, for the — We had at that time, we had organized a committee, a commission, of local politicians from the various jurisdictions to deal with these various problems.

Schrag: What were the problems, sorry?

Alper: Transportation, basically. And I was in it from the very beginning, and I'm trying to remember what the hell we did before we hit the public ownership. Anyhow, you asked what I did, I was regulation of transit.

Schrag: Why did you feel this was your problem? There were a lot of people living in Washington in the late forties, early fifties, all of them would have suffered from congestion. Why did you feel that you were the one to solve the problem?

Alper: I don't know if I felt I was the one to solve the problem. I was interested in administrative law. And there were opportunities to get a job. I think transportation, I'm trying to remember, I was interested in transportation from the beginning, there's no doubt about that, but why, I don't, can't remember, exactly.

Schrag: What do you mean, from the beginning?

Alper: From the beginning of my legal career in Washington.

Schrag: So just to go back for a second, when you— how did you end up working for the SEC? You're a practicing lawyer in Chattanooga. What makes you go to Washington and get involved in utility regulation?

Alper: I wasn't satisfied with my practice in Chattanooga. I didn't see what the future was, and I applied for a job in Washington.

Schrag: And how did you hear about the job in Washington?

Alper: How did I hear about it?

Schrag: Yeah.

Alper: I don't know. I guess I knew people who – . I don't think I came up and talked and looked around, but I think I knew people who were working up here, doing things.

Schrag: Knew people from law school? How did you– .

Alper: No, not from law school. How did I know about the SEC? Christ, I don't know. I don't know if I knew about it before I came to Washington or not, but I came up here looking for a job, and the SEC was one of the places I looked.

Schrag: So just to clarify this: if you had been offered a job in one of the other New Deal areas, if you had been offered a job in – I'm trying to think of something very different – Department of Agriculture, say, would that have been just as good, at that point?

Alper: From the standpoint of having a job, yes. From the standpoint of what I'd be interested in, no.

Schrag: OK, so you were already interested in this issue of–

Alper: Right.

Schrag: – regulation. Sorry to keep on this, it's just very interesting to me how people get involved in the

first place. When you were in law school, did you have any courses on this subject?

Alper: No. No. On the subject, you mean, regulation of transit?

Schrag: Transit, or utilities, or even securities.

Alper: Well, I had a regular course or two in securities regulation. But I didn't have any experience in transit operations, or anything like that.

Schrag: But do you think those courses would have been enough for you to say, I really like this subject, I'd like a job at the SEC?

Alper: Yeah.

Schrag: OK. So you've been at the SEC, you've been through Iwo Jima and Okinawa, you're back in Washington, and at this point you're a bit of an expert on utilities, from having that experience at the SEC. What kinds of jobs, then— how are you going to make money out of this expertise and out of this transportation problem?

Alper: I went back to my job at the SEC.

Schrag: Coming back from the Navy?

Alper: Yeah.

Schrag: So this was after the war. And this is when you become involved in transportation? While still at the SEC?

Alper: Boy, I'm really — My work at the SEC did not involve transportation. That was in the electric utilities.

Schrag: OK.

Alper: But my interest in transportation had come about really locally, from my, as a resident here, some friends. I had a background in regulation and corporation finance, et cetera, and you know, they talked with me about it, and that's how I got interested in the local transit.

Schrag: Who were these friends? Do you remember?

Alper: (laughs) Now you embarrass me. One of them, very good friend, Carlton Sickles.

Schrag: OK. How did you know him? Were you living in Maryland at the time?

Alper: Well, I lived in Maryland and the D.C. too. I don't remember at which time—. It had nothing to do with my residence. I knew Carlton, I guess, from some of the activities connected with the transportation.

But he's an old friend. Others, I can't remember their names.

Schrag: So some friends of yours got you involved in this transportation question.

Alper: Yeah, I'm not sure about that. I don't know anybody got me involved, or whether I did it directly, but what difference does it make? I got involved in it.

Schrag: OK. So how did you get involved? You had mentioned the streetcars before, so even before the Joint Transportation - or maybe not. The Joint Transportation Committee was formed, when, in 1955?

Alper: If you say so.

Schrag: I'll have to look that up. So what did these friends ask you to do to help solve the problems of transportation?

Alper: Nothing. I didn't have any - there was no group that I was associated with or related to that was involved in this problem at all. They were just friends of mine, and they were - had - well-known people in town, and they had political positions here and there, but they weren't dealing with, solving any transportation problem.

Schrag: So what was your first involvement with the issue?

Alper: (laughs)

Schrag: What I have here is in 1955, Harland Bartholomew?

Alper: Yeah.

Schrag: He was chairman of National Capital Planning Council.

Alper: Right.

Schrag: Planning Commission.

Alper: Yeah.

Schrag: He hires you for \$10,500 to write a report on transit regulation.

Alper: I think he did, yeah. Now that you bring — Yeah, I think so. Yeah, I'd forgotten that.

Schrag: So, was this — I'm trying to have a sense of how much a part of this work this was. Was this a lot of money? Was this going to take up—

Alper: Oh, yeah. A lot of money for me.

Schrag: And it's going to take up — was this a full time job putting together the report on —

Alper: A full-time job in the sense that it took most of my time. It wasn't a full-time job in that I had to work from eight to six or something like that.

Schrag: But compared to— You weren't still at the SEC then,
or not? Were you doing this at the same time?

Alper: No, I don't think so.

Schrag: So where had you gone from the SEC?

Alper: Into private practice.

Schrag: OK. So you're back in private practice, with some
utilities clients and some general business.

Alper: Right.

Schrag: Harland Bartholomew calls you up and says, I want
you to write a report for us on transportation
regulation. Is that right?

Alper: Yeah it is. It didn't quite work that way. I was
working with his, with the planning commission, and
my work with him led to this report.

Schrag: So you were working with the commission on other
issues?

Alper: The planning commission? Yeah, I don't know about
other issues. It was transportation, I guess, all
along.

Schrag: How did you meet Mr. Bartholomew?

Alper: (laughs) I don't know.

Schrag: So, but this was the first time they had hired you —

Alper: Right.

Schrag: — to do work for them, was to investigate transportation regulation. But you're not sure how they picked you.

Alper: You would have this stuff, the history? You say you've got history on all this stuff.

Schrag: Well, what I have, for example, is I have these documents saying here is a contract we've signed with Mr. Alper. Ten thousand, five hundred dollars, here's the date. What I don't know is how they picked you. Or how they even knew about you. So it's those details I'm trying to fill in a bit.

Alper: Well I think my — I think Carlton Sickles was probably the key to my knowing the planning group. He was active locally, and he was on one of these commissions. And I would imagine, I'm not sure, but I think Carlton probably was the source of my contacts, probably recommended me, that sort of thing.

Schrag: OK. And was he congressman already, or was that later? That he was elected to Congress?

Alper: Later I think. Yeah.

Schrag: OK. Well, if I talk to him, I can fill in these details there. So you write this report, and I have a copy –

Alper: What the hell report is that now?

Schrag: Your, I guess it's the 1959 report, suggesting an interstate compact –

Alper: Oh I did.

Schrag: – as the way to regulate transit.

Alper: Yeah, I remember doing it now. Yeah. Yeah, that was a real constructive job. It really was.

Schrag: Well, most people thought so, but it seems that Capital Transit was unhappy with the report.

Alper: Oh yeah. What's his name was – Yeah, I was putting him out of business.

Schrag: Chalk?

Alper: Yeah.

Schrag: Well, that's sort of what I'm trying to – one of the questions I have, is that the report you wrote said that it would be – the compact could regulate privately owned carriers.

Alper: Yeah.

Schrag: So why would it put him out of business?

Alper: He was satisfied with the way they were being handled. It was being regulated, and not only would the regulation change, but the standards would probably be different, and it might end up a publicly owned, et cetera. It was just not in his interest.

Schrag: So, he just didn't want the boat to rock at all.

Alper: Right.

Schrag: He was making money and was happy. But you think it was in a broader public interest? That is, why were you unhappy with the status quo, if Chalk was happy. What was the difference in interest there?

Alper: Well, I wasn't involved in his company. I wasn't getting any benefit from the transit company. As far as I was concerned this was just professional business for me.

Schrag: OK. And what about your clients? What about Bartholomew and Sickles. Did they think that Capital Transit was doing a bad job?

Alper: I think so. I think that they – I really think that, well, not bad job, but they were interested in having, in doing the public ownership.

Schrag: So one of the issues here is that the original report is a little ambivalent. It says you could stop at phase one, and just set up this compact and have it regulate private transit. Or this could also be the beginning of a series of steps that could lead to public ownership.

Alper: Which report are you talking about?

Schrag: The 1959 report you wrote.

Alper: Did I say that?

Schrag: Yeah, well that's what you told Congress. What I'm not sure is how realistic that was. That is, you said in 1960, this compact deals with only, with one subject only, not public ownership, not acquisition of any one transit company, not the building of subways, only the regulation of private transit.

Alper: Well, it must have been the legislation we were looking at at that time.

Schrag: Right. But was that ever realistic? Or was Chalk right to say, once you open the door, there's no stopping it, and it's going to move toward public ownership.

Alper: He was probably appropriately concerned. But I don't— I'm not aware that there was any real serious

discussion on the table at that time about public ownership.

Schrag: But what about under the table, is sort of my question. Behind the scenes. You think that Sickles and Bartholomew wanted public ownership even at that stage?

Alper: You know, I'm not sure that they were leading advocates for public ownership. I think they followed along. I don't recall that they or any other citizens were saying that we have to, that the public has to take over this transit company. Maybe they did, but I don't remember it that way.

Schrag: So what did they want? If Chalk was happy, and you didn't care, you were just working for your clients, what was it that Sickles wanted? Why bother? Why spend all this money, and spend all this time, if things are working out OK?

Alper: I think they were concerned about the quality of the transit service, and I'm sure it also has some political value to Carlton.

Schrag: So his constituents are not happy? Or potential constituents?

Alper: I don't know whether, whether he was really unhappy or not, but I know that he felt that service could

be better. What his motives were, I can't say, really, but that's my, my recollection is that he just felt that - I guess two aspects. One is that he's not satisfied with the private, Chalk, ownership and operation. And secondly I think he was, wanted to get into public ownership.

Schrag: What about Robert McLaughlin, who was the, I guess, President of the D.C. Board of Commissioners?

Alper: What about him?

Schrag: Well that's a - Before Home Rule, he's congressionally appointed, is that correct?

Alper: I think so.

Schrag: So it's a little hard to know who he speaks for. He doesn't exactly have, not being democratically elected, he wouldn't have had the same sort of relationship to his constituents that a Maryland congressman would have.

Alper: I got to know him when he was a local politician in the District of Columbia. I got to know him pretty well, and he was - He relied on me, he looked up to me, quite frankly, and he just followed me around. I mean, when I got into transit he tried to get in. But what do you want to know about him?

Schrag: Well, I want to know, basically, what made him tick.

What he wanted from Chalk, what he wanted from a transportation system. What he thought the solution would be, to the problem.

Alper: I'm not sure that was involved. I think that he and the other people were critical of Chalk running the transit, and I think this may be also a part of a political operation to get public ownership of the transit. But I don't think that he could be looked upon as an authority on transit at that point.

Schrag: So do you have a sense of — . You say public ownership was a political issue. Was this something that would have been very popular with the people of Washington?

Alper: I really don't know. I think so. Yeah, I think so. It was. Yeah.

Schrag: So people living in Washington and the nearby suburbs, you think they were dissatisfied with Chalk?

Alper: Yeah.

Schrag: And this was a good way to —

Alper: Right.

Schrag: — get rid of the bad guy —

Alper: Right.

Schrag: – and gain votes. OK, I've seen that story before.

One congressman, I'm not sure where he was from, was Libonati, who seems to have been opposed to the compact.

Alper: What's his name?

Schrag: Libonati. L-I-B-O-N-A-T-I.

Alper: Don't recall him.

Schrag: OK. I'm afraid I didn't bring the hearings today. I can bring them back later. Another person would have been Charles Horsky –

Alper: Yeah.

Schrag: – who was also involved in the transportation commission.

Alper: Yeah.

Schrag: What was your relationship with him?

Alper: I respected him very much. He was a very able lawyer, and he was high up in the – he was close to the President. But I didn't work with him. We didn't work together, I don't recall.

Schrag: OK. He just shows up trying to make sure your salary is paid at one point.

Alper: He did? That's good.

Schrag: Said some nice things about you. Here's a question: what about issues beyond transportation? In November 1957, you gave a speech at the Mayflower Hotel to the Connecticut Avenue Association, a business group, saying the people of Washington as organized in groups like yours must put, help put, the reins on the urbanization monster. Do you remember that speech at all?

Alper: No. I don't know what I meant by urbanization monster.

Schrag: Well, later you said, we are trying to recognize the fact that the Washington metropolitan area is in fact a single city, that is you couldn't just govern —

Alper: Right. Right. Right.

Schrag: the District, you had to look at the suburbs as well.

Alper: Right. Right.

Schrag: Where did that idea come from? What were your ideas about how metropolitan areas should be governed?

Alper: I am sure, looking at my experience with Washington, I am sure that I considered it — you could look at

the political boundaries between these little jurisdictions – you looked at them as an urban center. Metropolitan Washington, as far as I was in it, could well be subject to single control, zoning control.

Schrag: Did a lot of people think this way, or were you –

Alper: I don't think so.

Schrag: Then you were –

Alper: I never did anything about it. But what's the question?

Schrag: Well, I guess my question – the compact you wrote involves these different jurisdictions, involves the surrounding counties –

Alper: Right.

Schrag: – the surrounding states, the District –

Alper: Right.

Schrag: – the federal government. In some ways that suggests a broader vision of how metropolitan areas should be governed. A lot of scholars today, politicians, planners, think a lot about this issue. One of the problems facing American cities is that they're not really connected, politically, with their suburbs. You have different school systems,

you have different tax systems. And for you to have said in 1957, in 1960, that this is a problem, you were a bit ahead of your time, perhaps.

Alper: Well.

Schrag: So I'm trying to figure out, who was thinking this sort of thing in the late fifties and early sixties. Who would have agreed with you, who might have disagreed.

Alper: I'm not sure there's a lively issues. I can't recall really anyone who was strong one way or another at that point. I can't answer that question, I'm not sure there is an answer.

Schrag: Well, sort of a related question is, your report ended up being part of what is called the Mass Transportation Survey, that involved planning experts at DeLeuw Cather, it involved Wilbur Smith Associates. They ended up putting out this book with lots of maps in it. Did you have any involvement with the planners and engineers, or were you separate in doing the legal stuff.

Alper: (unintelligible)

Schrag: So the legal problem was quite separate from issues of bridges and freeways?

Alper: Right.

Schrag: OK. I want to move on, a little past 1960, to the Joint Transportation Commission. So after Congress created the National Capital Transportation Agency –

Alper: Yeah.

Schrag: – if I have that right. You're still working at the Joint Transportation Committee with Sickles and – I'm not sure who the Virginia representative was – and, I guess, McLaughlin, for D.C. What was the relationship between the Joint Transportation Committee and the federal agency, the NCTA? Stolzenbach's group. There seems to have been some tension there.

Alper: Yeah, Stolzenbach. I think he was really trying to obtain control of the – with this particular problem, as I remember. He was always, always had his goddamn nose in the way.

Schrag: And why – can you elaborate on that? Was this a question about ego? About power? What was the –

Alper: Power, I guess. He was a political guy, he was trying to get as much power as he could. Transit, transportation was the area he was fooling around with. I don't know whether – if he stayed up the night worrying about it or not, but there's no doubt

about the fact that he liked, he wanted to have control of the transportation area.

Schrag: And so was that — there was a lot of talk about principles, about whether in general a federal agency or an interstate compact would be better suited to run transit. Were you, and Stolzenbach, and others, were you motivated — . What was the relationship, I guess, between principle and power? Did it matter to you — or Stolzenbach — was it — were there deep philosophical differences, or was this a bureaucratic struggle between two rival groups?

Alper: What were the rival groups?

Schrag: The Joint Transportation Committee and the NCTA.

Alper: I'm not sure there's any struggle. So far as I was concerned, I mean I from the very beginning said there had to be a metropolitan area organization. And I know that Stolzenbach made efforts from time to time to get more control over it, but it was never anything serious. So what's your question?

Schrag: Well, what — how — what were his efforts? You say he was sticking his nose in. What did he do that — .

Alper: Oh, Christ, I don't know. I really don't know any — who he saw or what. Who there was to see in those

days, I don't know. I didn't get involved in that kind of stuff.

Schrag: But you were not very fond of him, I take it. Or at least - .

Alper: It wasn't a question of being fond. I was not impressed with him.

Schrag: The documents say, a certain amount of hostility toward Alper and his strenuous efforts to secure a compact. This Horsky describing Stolzenbach.

Alper: What, what does it say?

Schrag: Well, Horsky says that Stolzenbach was somewhat hostile to you.

Alper: I'm sure he was.

Schrag: Perhaps because you were trying to put him out of business.

Alper: Yeah, he wanted control. Yes, go ahead. What did Horsky say?

Schrag: He said that Stolzenbach and his assistant, Seeger-
.

Alper: Yeah.

Schrag: - really didn't like the idea of having a compact.

Alper: Right.

Schrag: They wanted to keep it federal.

Alper: Right.

Schrag: And they didn't like you because you represented the compact. I don't know if it was personal at all. I guess - my question is - you know that they were threatened by you. Did you feel hostile to them? Did you feel threatened by them in any way, or do - .

Alper: Well, I don't know if threatened is - . They may have felt threatened, I'm sure they did, because I was setting up, involved in setting up, an organization, a different type than they were in. And I'm sure that was a threat to them. As far as I was concerned, were they a threat to me? No, I don't think so.

Schrag: Was there any connection between these two, rival legal systems, federal agency plan versus a compact plan on the one hand, and the actual transit plans, highways, or subways, or buses, or streetcars? If we had had a federal agency in charge, would Metro have come out looking very different?

Alper: We might not even have had a Metro, I don't know what you mean by an agency in charge.

Schrag: Well, if I understand what Stolzenbach wanted, was he wanted the NCTA -

Alper: Yeah.

Schrag: – to be able to operate the system.

Alper: Right.

Schrag: What actually happened was, the Washington Metropolitan Area Transit Authority operated the system. For the average subway rider, today, if I'm getting on the Metro, is this something that I would have noticed a difference, if it had been a federal program, rather than an interstate compact?

Alper: I can't say. There didn't have to be any difference in how it was operated, but I don't know how it would be.

Schrag: Hold on a second, I'll flip the tape. You were saying that if a federal agency had been in charge, it might not have been any different for – in terms of the way the actual subway was built.

Alper: I can't say that.

Schrag: At the time you seemed quite convinced, still do, that the interstate compact was the way to go.

Alper: Right.

Schrag: What was so wrong about this competing vision of a federal agency operating the system, building and operating, I should say?

Alper: It was a local activity, and it seemed to me that it should be handled at the local level.

Schrag: But funded at the federal level, correct?

Alper: Well, it depends, funding, I don't know about entirely, but yes, federal government had to participate in the funding. So what's the problem?

Schrag: Well, I mean there are people today who say yes, local transit is a local issue, and it should be funded locally. Now, in fact, these systems are so expensive, that without federal involvement, none of these rapid transit systems in Washington, San Francisco, Atlanta, Los Angeles, none of them could ever have been built without federal money.

Alper: Right.

Schrag: My impression was from Stolzenbach, that his vision was that if the federal government is going to pay for the system, they should be able to run the system. They're going to buy it, they should be able to keep it. And why is that so wrong?

Alper: It's a question, as I see it, it's a question of whether it's a function that's local, whether local transportation should be handled at the local level, or handled at the national level. It seems to me

that each jurisdiction has its own problems, and
that it better to handle it that way, locally.

Schrag: Did you support broader home rule for the District?

Because obviously at this point -

Alper: I don't know.

Schrag: - the District wasn't even - .

Alper: I don't - I didn't get involved in that.

Schrag: Warren Quenstedt, if I have that name right -

Alper: Yeah, right.

Schrag: - was also involved with NCTA? Is that - I think.

Were relationships between you and him any better -
.

Alper: Yeah, very good. I personally, we were personal
friends.

Schrag: He ran for office at one point?

Alper: He did?

Schrag: I think so.

Alper: I guess so.

Schrag: So, even though he was in some ways in this rival
agency, you were at the Joint Transportation
Committee, promoting an interstate compact, he's at

the NCTA, which institutionally at least, is threatened by that compact —

Alper: Right.

Schrag: — you and he got along fine.

Alper: Oh yeah.

Schrag: So how much of a — how big a deal was this, in the end? If I'm writing a history of the Metro, should I care about this, these two competing visions of how it's going to be built, the federal versus the interstate, or not?

Alper: No I think you're — I think there's competing visions, but I think you ought to make sure you get it in proper focus. I think the question you should be primarily concerned about is, from the standpoint of good government, should a local transportation system be under local control or federal control. Now that's your question, really.

Schrag: What I'm asking is, why does it matter?

Alper: What you think the difference between federal control and local control is. Local control, the assemblies deal more directly with the problems. I don't know that that kind of question really is — why is local control better than federal control?

Schrag: Mm-hmm.

Alper: Because I think that it's a local problem. The federal government doesn't have any interest in it, beyond the location. And of course they've got financial interests, that's how the thing seems to me it's a local problem and is best dealt with by local people.

Schrag: What about the fact that in D.C., the federal government is the largest employer?

Alper: What about it?

Schrag: So one of the functions, one of the big functions of the system, as it's proposed in the 1960s, is to get federal employees to and from their offices.

Alper: Right.

Schrag: Would that suggest more of a federal interest? Than in, say, a system in San Francisco?

Alper: When you ask, does that suggest, what the hell does that mean? I'm sure that it suggested to a lot of people, they probably suggested that it ought to be a responsibility of the federal government because its employees were going to be served by this system, but I don't think that's the point. I don't know what you're after.

Schrag: Well, I'm trying to get a sense of this debate. I mean, you seem to be taking a very democratic line, that government should be at the lowest level possible, that people should solve their own problems, that if it's a problem that affects people that affects people from D.C., Maryland, and Virginia, they should be the ones in control.

Alper: Right.

Schrag: And, I understand that it's hard for you to represent the other side because you don't believe the other side. But I was wondering what sort of arguments you had to counter. And I was just sort of playing devil's advocate here - .

Alper: I don't think there were any good arguments. The federal government was going to have to put up the money, that sort of thing. And since it involved transportation in the District of Columbia, an area the federal government obviously had an interest in it.

Schrag: What about among localities. In 1960s you at various times represented the District, spoke for McLaughlin, you represented the NCPC, the National Capital Planning Commission. Maryland and Virginia were also involved. Did these groups get along

together? Or were there fights between, say, Maryland and Virginia, or the suburbs and the District?

Alper: (laughs) You know, I probably didn't pay any attention to it when it was going on. But were there disagreements? I don't recall anything of very serious nature. Yes, there were all kind of discussions. To what extent they were really disagreements, I don't know. I didn't pay any attention to them.

Schrag: So your job was more - . What was your concern, then? You were doing a lot of work, obviously. What were the issues that you had to think about, if not - .

Alper: At which stage?

Schrag: After you had written the initial compact, and you were moving toward what eventually becomes the compact that creates WMATA, W'mata. What were the challenges in writing that compact?

Alper: Which compact was that? Are you talking about two compacts?

Schrag: Well, there was this initial, not so much a compact, but I guess the act of, I guess it's 1959 or 1960,

that created the NCTA, and then in 1967 the compact,
the compact creates WMATA.

Alper: And what's your question?

Schrag: Well this took something like six or seven years –

Alper: Yeah.

Schrag: – between the time that you came up with the initial
proposal, for an interstate compact –

Alper: Yeah.

Schrag: – and the time that it's actually passed, 'till
WMATA's created.

Alper: Right.

Schrag: How did you spend those years?

Alper: (laughs)

Schrag: What were you doing then?

Alper: Oh, come on. I was a lawyer, practicing law.

Schrag: So all of these issues, of transportation compacts,
were a fairly small part of your daily routine?

Alper: No, they were actually a large part. Actually, I
spent a lot of time on it. But what do you want to
know?

Schrag: Well, for example, I know you looked at other
states, at New York Port Authority–

Alper: Yeah.

Schrag:— as an example, at Delaware River Authority. Was that a lot of work, to look at other interstate compacts and try to figure out the best system?

Alper: Sure it was, I did a lot of research on deciding how to set up the compact, what powers it ought to have, and how those powers should be exercised. How they should be financed, how it should be controlled. So what?

Schrag: And did you feel that this was an issue of sort of one best way, a sort of technical problem that had to be solved? Or were there value judgments to be made along the way?

Alper: Value judgments between what?

Schrag: Well, that's what I'm asking. I'm not a lawyer, I don't know how— .

Alper: You mean value judgments having to do with if it was an interstate compact or a federal agency?

Schrag: Well, that, or even something like the financing, the role of cities and towns as opposed to counties and states.

Alper: I don't think that problem came up, the role of cities and towns against counties and states. No, it

was never broken down that way. The question was whether it would be a federal operation or a local state operation.

Schrag: So that was the big —

Alper: Right.

Schrag: — value —

Alper: Right.

Schrag: — and you were on the side of as much local control as possible.

Alper: Right.

Schrag: Now, when the — when WMATA is finally formed, you go on board as a special counsel, is that right?

Alper: Geez, I don't remember. I was counsel. I don't know if I was on the board or not, or whether I had a title, special counsel.

Schrag: Special counsel, I think, is what they say. Maybe not on the board.

Alper: OK.

Schrag: Was this still a big chunk of your time, to deal with this?

Alper: Yeah, yes.

Schrag: So, just to go back, from 1955 on, this is a major commitment of yours.

Alper: Right.

Schrag: In terms of time, and energy –

Alper: Right.

Schrag: – and focus. Is to do this trans- . And that goes on into the seventies, if I am correct. When did you finally retire?

Alper: (laughs) I don't know.

Schrag: (laughs)

Alper: What is this, ninety-eight?

Schrag: It's now ninety-eight. Of the documents – the documents I've seen only go up to the seventies, so I don't – .

Alper: Well, I don't believe retired. I may have retired from law practice, but I may have had a little – no direct responsibility for Metro. I don't know what you're talking about.

Schrag: Well, for example, in 1976, the Washington Star mentions you as a consultant to Metro.

Alper: Right.

Schrag: And you suggest a regional tax –

Alper: Right.

Schrag: — as one of the ways to finance this system. So at that point you were still pretty active?

Alper: Yeah, I was representing, still representing Metro at that time.

Schrag: And was that more or less a full time job then, working for — ?

Alper: No.

Schrag: You still had private clients on the side.

Alper: Right, right.

Schrag: So that was continuing —

Alper: Right.

Schrag: — all the same time. And was there any particular specialty you had in your private business?

Alper: I'd say it's a very general area of federal regulation and transportation and securities issues, things like that.

Schrag: So, you said earlier that you felt that you hadn't gotten enough credit for your role in creating Metro. What — are there particular things that you feel you deserve more credit for?

Alper: Yeah, for Metro. It wouldn't be here if it wasn't for me. The idea of it was mine to begin with. And then I had to, every step along the way I had to put together and fight with everybody to get it done. I mean nobody knows that, and you're not getting it that way, and I don't give a damn whether it's known or not, but I know that — what my role was, and it kept moving it along.

Schrag: So, your talking about the basic financing, underpinnings —

Alper: Right.

Schrag: — of the compact, that allowed the subway to be built.

Alper: Right.

Schrag: And when you say it was your idea, was your idea to have an interstate compact to build the system?

Alper: Yes. Yeah, I got into it — Fay? We'll be through in a minute — I got into this when the question of improving the local transit situation, and the question wasn't whether we should have a compact or what, it was part of the problem. My analysis was that it ought to be an interstate community operation, and governed locally by the people involved, and not by just a federal agency.

Schrag: And, looking back, now that the subway is built, almost finished, the Green Line, this hundred mile system. Are you surprised by the way things have turned out, or was this exactly –

Alper: No, I think it's turned out – whether I had any great ideas I won't say. In many respects, I feel it isn't as warm a type of agency as I'd expected. But they're doing a job, and they're doing it well.

Schrag: What do you mean, a warm agency?

Alper: Oh, I don't know. Nothing, I guess.

Schrag: Were things different in the 1960s? Before the compact was written, or just afterwards?

Alper: I don't know how to answer that question because I don't know what the difference is you're talking about. There's no change. The local situation has remained fairly stable over the years. There was not too much opposition to developing a compact. I thought that you had thought there would be, but apparently the local governments were not concerned about giving up direct control.

Schrag: When you say you had to fight every step of the way, who were you fighting, then?

Alper: Everybody who had another idea, one of their own, or a good one or a bad one. I'm not sure fighting, but every issue had to be resolved, talked over. The organization, who had power. That sort of thing, financing.

Schrag: And after Chalk, did the Metro have any real enemies, do you think?

Alper: I don't guess so. I don't really think so.

Schrag: Do you have any sense of – one of the questions I have about Metro, is that when you started thinking, you and others started thinking about a subway, in the 1950s, no city had opened a subway in the United States for thirty years. Do you have a sense of why Washington and to some degree San Francisco were the ones to revive rail systems?

Alper: Yeah, because we were looking to improve the local transportation, and that was a way that we looked at. Harland Bartholomew's company is probably really responsible for educating us about the transit system. I don't know what the alternatives would be. I mean, you talk about the – you mean we would just have a local tran – a local company?

Schrag: Well, for example, there were a lot of proposals to build freeways that were never built. Additional bridges, the Three Sisters bridge.

Alper: Yeah.

Schrag: Those were defeated in part because Metro was built instead and we got two more river crossings.

Alper: Right.

Schrag: Were you involved at all in those debates?

Alper: No.

Schrag: But you were sort of in the subway camp, just in terms of your association with people who promoted the subway, Bartholomew and others.

Alper: Oh, sure. I just was not involved in the decision whether to have another highway or this or that or the other. I was just interested in the Metro system itself.

Schrag: Do you have any sense – I realize we're straying a bit from the legal subjects – but the Metro's role in the growth of Washington, suburbanization, or containing suburbanization. Sort of going back to these speeches, I understand you don't remember them, but you were talking about the need to

preserve the central city. Do you think the Metro did what you wanted it to do?

Alper: Are you saying that I had speeches about preserving the central city? You mean that I was opposed to the development of the suburbs?

Schrag: Well, that was my sense from the speech that you gave. They don't have the — this was just a small item in the newspaper, was that you were worried about the effect of suburban growth on downtown businesses, on Connecticut Avenue.

Alper: Well, that depends on the what time this was. There was a time, I suppose, when I was primarily concerned about development of Washington, D.C. But as I got into it, the idea got concerned about the development of the metropolitan area. And I was not opposed to development of the metropolitan area.

Schrag: So, you think there was some shift at some point, in your vision from Washington being the District to Washington being the metropolitan area. Is that fair to say?

Alper: I think it may be saying too much that there was a shift in my vision. I can't say that at any time I felt that Washington was not part of a metropolitan

area. But what that meant was, in terms of transportation or other services, I don't recall.

Schrag: Do you think that there's inherent conflict between the District and the suburbs?

Alper: No.

Schrag: So they grow together rather than — .

Alper: Well, I don't know how they grow. Whether they grow together or not. They may have different functions, and serve different purposes. I wouldn't say there's any conflict. What time is it? You want to get in?

FAY (housekeeper): Yeah, I'll be quiet.

Schrag: Sorry, we can — finish up if you like. What I'd like to do is share this interview with my professor and some classmates, and then come back in maybe a month or so.

Alper: Jesus, that's a terrible — I don't know whether'll get anything out of that. I'm not — I'm not very proud of this interview.

Schrag: Well, what I'll do is — I've learned quite a bit, actually, but if you feel that there's a lot that is missing, what I'll do is I'll type this up —

Alper: Nah.

Schrag: — and send it to you, and —

Alper: I don't want to see it. (laughs). What'd you say?

FAY: Go ahead.

Schrag: What do you think I haven't touched on, because if the interview hasn't gone well, it probably means that there are questions I haven't asked, that I should be asking.

Alper: Oh, the interview has gone all right.

Schrag: What did, what did you meant you're not proud of it, then?

Alper: My answers to a lot of the questions. I mean – they're not – I didn't recall things, and I didn't think, I don't think my answers are as good as they could have been. The only thing that I would point out is that your approach is not designed to put Metro in as, as an element in the urban, the metropolitan area development. And that of course is an important role it's had.

Schrag: So, what do you think I should look at? Should I be looking at the growth of Montgomery County, for example? What do you mean by the context there?

Alper: I'm not sure. What are you trying to find out here?

Schrag: Well, one basic question is I'm trying to find out why Metro was built.

Alper: Yeah.

Schrag: How it was built, how –

Alper: Right.

Schrag: – how these people got together –

Alper: Yeah.

Schrag: – people like you, people like Sickles –

Alper: Yeah.

Schrag: – people like Bartholomew. How all these people got together to decide that there needed to be a subway.

Alper: Right.

Schrag: Why Metro looks the way it does. One of the things about Metro is that it does tend to attract a very well-educated, professional ridership, compared to public transit in a lot of American cities. It's unusual to see so many professionals use public transit, outside of New York City – and Washington. So, these are the broad questions. How did we get the system that we got.

Alper: I, I just don't know how to break that down. How did we get the system we got? Because the planners of the system, we had people from each, the local jurisdictions, it was a community action, and they all made their input as to what kind of service they

wanted and et cetera, and I don't know what, what else is there.

Schrag: Well, there were lots of different proposals on the board. There were these proposals for freeways that I mentioned. There were proposals for a much smaller subway system that would stay within the District and have feeder buses going in.

Alper: So what do you want to know about it?

Schrag: I guess I'd like to know your interpretation of these events. What were the big decisions that were made, and —

Alper: I don't know of any big decisions. They just — the group just realized after thinking it through that they had to have a metropolitan based system. I'm not aware that there was any consideration of just a local system and it was voted down, and that's — I don't recall any of that.

Schrag: So this was a consensus?

Alper: Yeah, right.

Schrag: A broad consensus. Do you think that anyone was left out? I'm thinking particularly of the District's politics, where all of this is taking place before you have local elected government.

Alper: What about it?

Schrag: Well, for example, the black neighborhoods of D.C.

My impression was that they did not feel that they were particularly well represented by the Board of Commissioners. Do you think that they were part of the consensus?

Alper: I don't know. I didn't concern myself with that. I'm not aware, I don't recall, as a matter of fact, that they opposed the system.

Schrag: I don't know that they did. I'm just — it's dramatic that when you're talking about a consensus, you have some people with votes, people in Maryland and Virginia, and some people without, people in D.C. And I was wondering if there was any difference that you perceived.

Alper: No. I didn't get into things like that, wasn't concerned with it really. I was just concerned with trying to put a — create an agency that had the power and responsibility to do a specific thing.

Schrag: And do you think that — I know that, that when you looking at the — how to write a compact, you were as I said looking at things like port authorities, pollution authorities, interstate compacts that had responsibilities quite different from

transportation. And indeed, in Washington we have the Council of Governments that controls some of these things, but we don't have really a regional authority the way that, say, Portland, Oregon, does. In Portland they have a legislative body that is elected and that has taxing power. Do you see any role for that kind of authority in the metropolitan region?

Alper: No.

Schrag: But you think Metro should have taxing power? Does Metro have taxing power? I didn't look that up.

Alper: In the District of Columbia there's taxing power.

Schrag: What about, what about WMATA, do they?

Alper: No.

Schrag: And at one point in the seventies you proposed that they should be able to tax.

Alper: I don't think they have a taxing power.

Schrag: Right, I'm not sure it ever went through. But that was your proposal at one point, which is significant in thinking about how metropolitan areas should be governed. If there's this metropolitan body that has a taxing power, it's perhaps a step towards seeing the region as a whole –

Alper: Yeah.

Schrag: – rather than these individual jurisdictions. I was wondering if you have any thoughts on –

Alper: No.

Schrag: – how metropolitan areas should be governed.

Alper: None at all.

Schrag: OK. Well, I think what I'd like to do is, I think we can finish here for the time being. And I would like to send you a transcript of the interview for you to look over, and then I can –

Alper: All right.

Schrag: – call you up at some point in November would be best for me, if that's OK and do a follow-up session because I'm sure there are questions that I'll say, gee, I really should have asked this question. And I'll do that later, if that's OK. OK, well, I'll turn off the recorder.

[END]